

HCS SCS SB 373 -- SELF-SERVICE STORAGE FACILITIES

SPONSOR: Bartle (Luetkemeyer)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Financial Services by a vote of 16 to 0.

This substitute amends several provisions relating to personal property that is stored in a self-service storage facility. Under current law, the owner of a storage facility has a statutory lien on the property contained in each unit in the event the occupant becomes in default of the rental contract for more than 30 days. However, before selling any property, the facility owner must give the occupant 45 days' notice. The substitute makes those two time periods run concurrently. In addition, the facility owner may deny the occupant access to the leased space at the time the occupant becomes in default, rather than after the 45-day notice period has expired. The substitute also defines several terms and clarifies the definition of the phrase "commercially reasonable manner."

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the substitute merely speeds up the process for a lien holder to sell the property that is subject to the lien.

Testifying for the bill were Senator Bartle; and Atrax Data, Inc.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst